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6 Attorneys for Plaintiffs

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8   UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 RUSSELL E. BURNS, et al.   Case No.: CV13-4729 KAW

        Plaintiffs,   **VOLUNTARY DISMISSAL WITHOUT**
12   v.   **PREJUDICE**

13 RIVER VIEW CONSTRUCTION, INC., a
    California Corporation,
14
        Defendant.
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17   PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1), Plaintiffs RUSSELL E.

18 BURNS, et al. ("Plaintiffs"), voluntarily dismiss, without prejudice, the complaint ("Complaint")

19 filed against Defendant RIVER VIEW CONSTRUCTION, INC. ("Defendant"), a California

20 corporation, on October 10, 2013.

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                                     VOLUNTARY DISMISSAL WITHOUT PREJUDICE
                                                          Case No.: CV13-4729 KAW
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1   Defendant has neither served an answer nor moved for summary judgment, and Plaintiffs

2 have not previously dismissed an action in any court based on or including the same claim against

3 Defendant. It is therefore requested that this action be dismissed without prejudice.

4   I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-

5 entitled action, and that the foregoing is true of my own knowledge.

6   Executed this 5th day of December 2013, at San Francisco, California.

7   SALTZMAN & JOHNSON
                       LAW CORPORATION

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                     By: _____/S/_____

10   Erica J. Russell
                       Attorneys for Plaintiffs

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12   **ORDER**

13 Based on the foregoing and GOOD CAUSE APPEARING, this action is dismissed, without

14 prejudice, and all dates in this matter are hereby vacated. The court shall retain jurisdiction of the

15 action.

16   IT IS SO ORDERED.

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 Dated: _____December 6, 2013_____   _____

18   UNITED STATES ~~DISTRICT COURT~~ JUDGE
                            MAGISTRATE

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